

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DELAWARE TRUST COMPANY, as TCEH  
First Lien Indenture Trustee,

Plaintiff,

-against-

WILMINGTON TRUST, N.A., as First Lien  
Collateral Agent and First Lien Administrative  
Agent,

Defendant.

Case No. 15-cv-02883-PAE

ECF Case

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Jeremy C. Hollembeak, Esq. dated April 28, 2015 and the Exhibits annexed thereto, the accompanying Memorandum of Law and all prior pleadings and proceedings had herein, the undersigned, attorneys for plaintiff Delaware Trust Company, as TCEH First Lien Indenture Trustee, will move this Court, before the Honorable Paul A. Engelmayer, in Courtroom 1305 at the United States Courthouse, 40 Foley Square, New York, New York, 10007, on **May 13, 2015 at 9:30am** or as soon thereafter as counsel may be heard, for an Order remanding this matter to the Supreme Court in the State of New York pursuant to 28 U.S.C. §§ 1334(c), 1447(c) and 1452(b) and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that papers in response or opposition to such Motion, if any, by defendant Wilmington Trust, N.A as First Lien Collateral Agent and First Lien Administrative Agent, and any other entity permitted by the Court to respond or oppose

such Motion, must be filed and served on or before **May 6, 2015** and Delaware Trust Company's papers in reply, if any, must be filed and served on or before Noon on **May 11, 2015**.

Dated: New York, New York  
April 28, 2015

**KOBRE & KIM LLP**

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Company, as TCEH First Lien Indenture  
Trustee*